IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA ASHEVILLE DIVISION 1:14cv157

LLOYD OLIVER HOFFMAN, III,)	
Plaintiff,)	
v.)	ORDER
ALAN WAYNE VAN WIEREN,)	
Defendant.)	
)	

Pending before the Court is Plaintiff's Motion to Substitute Party [# 11].

Plaintiff moves pursuant to Rule 25(a) to substitute Lloyd O. Hoffman, Jr., in his capacity as Executor of the Estate of Plaintiff Lloyd O. Hoffman, III, as the Plaintiff in this action. Defendant consents to the substitution of parties in this case.

Rule 25 provides that upon the death of a party to a civil action, the Court may order the substitution of the proper party. Fed. R. Civ. P. 25(a). Plaintiff died on August 18, 2014. Lloyd O. Hoffman, Jr., is the duly appointed Executor of the Estate of Plaintiff. Accordingly, the Court **GRANTS** Plaintiff's Motion to Substitute Party [# 11]. The Court **DIRECTS** the Clerk to **SUBSTITUTE** Lloyd O. Hoffman, Jr., in his capacity as Executor of the Estate of Plaintiff Lloyd O.

Hoffman, III, as the Plaintiff in this action.

Signed: October 24, 2014

Dennis L. Howell

United States Magistrate Judge